New York State
Office of
Children & Family
Services

March 20, 2006

Mr. Joseph Martino, Acting Commissioner
Monroe County Department of Human Services
111 Westfall Rd.
Rochester, New York 14620

Report ID 92-05-009

Dear Mr. Martino,

259 Monroe Avenue
Rochester, NY 14607-3687

The Corrective Action Plan submitted by your agency regarding Child Fatality Report #92-05-009 has been reviewed and accepted by our office. The plan submitted is responsive to the issues identified in this review. Per our discussion today, we will be forwarding a Rochester Regional Office staffing proposal to support the implementation of plan activities and initiatives.

Thank you for your efforts and proactive approach to improvement opportunities identified through this review. Your commitment to the children and families of Monroe County is commendable.

Sincerely,

Linda Kurtz
Regional Director

Cc: Cindy Lewis, Director
Karen Buck, Rochester Regional Office
Peg Lyman, Rochester Regional Office

Department of Human Services

Monroe County, New York

Maggie Brooks
County Executive

Joseph M. Martino
Acting Commissioner

March 6, 2006

Linda Kurtz, Director
Rochester Regional Office
New York State Office of Children and Family Services
259 Monroe Avenue
Rochester, NY 14607

Re: Corrective Action Plan for Child Fatality Report 92-05-009

Dear Director Kurtz:

I would like to thank you and the staff of the Rochester Regional Office (RRO) for your technical support and continued willingness to assist the Department of Human Services in improving its practice. We are especially grateful that you have been so facilitative in the development of the Gibson fatality review and for your recommendations on our draft Corrective Action Plan (CAP). The final CAP for child fatality report 92-05-009 (CONNECTIONS Case ID 21319066) follows.

The Department of Human Services has already begun implementation of the immediate improvement steps detailed in our internal review of the tragic Gibson fatality. The improvement plans are consistent with the areas identified for "required action" in child fatality report 92-05-009. As you know, the department is collaborating with your office and is utilizing internal expertise at the administrative, supervisory, and casework level to implement the improvement steps. The anticipated timeframes for completion and the name of the person with responsibility for each corrective action is shown below. Please note that in some cases the timeframes extend through 2006, as the workgroups tasked with each action progress on their efforts they will be required to clearly define incremental steps and milestones to ensure measurable progress.

ISSUE AND REQUIRED ACTION[1]

"MCDHS did not gather sufficient information to assess the risk of the subject child prior to his return to his parents care and custody in 2002, nor prior to closing the case in 2003…A corrective action plan must be developed which supports the gathering of comprehensive information to adequately assess risk throughout case involvement. This plan must define supervisory expectations to support and monitor case activity."

[1] All 'Issues and Required Actions' are taken from the NYS OCFS Child Fatality Report 92-05-009 issued on January 20, 2006.

Corrective Action[2]	Anticipated Timeframe for Completion	Person Responsible
Provide training and a desk aid that simplifies and clarifies the NYS Office of Children and Family Services' definition of safety and risk. The training and information will include the correct interpretation and use of the terms 'safe' and 'unsafe;' and considerations in the assessment and documentation of safety and risk at different points in a case. Define supervisory expectations to support and monitor the assessment of safety and risk. Develop method to measure change in supervisory skills	4/30/2006 4/30/2006 5/30/2006	Mike Dedee OCFS-RRO

ISSUE AND REQUIRED ACTION

"Supervisory consultations were not documented and do not appear to have occurred on a regular basis…A corrective action plan must be developed which supports and documents regular supervisory consultations regarding case dynamics and casework contacts."

Corrective Action	Anticipated Timeframe for Completion	Person Responsible
Implement an intensive Supervisory Expectations Training to: • Clarify and refine expectations for supervisory responsibility and oversight of CPS cases so that they clearly define the balance between casework direction and team/workload management responsibilities. • Clarify and refine the expectation for documentation of supervisory involvement in critical decision and actions—case assignment, safety and risk decisions, protective custody, court actions, stalled investigations and casework activity, aftercare, and case closing. • Clarify and refine the expectation for supervisory review of the quality of investigative and casework activity and ensure that this review is documented in the case record.	6/30/2006	Sue McLean OCFS-RRO

ISSUES AND REQUIRED ACTIONS

"The CPS report received on April 24, 2004 was not adequately investigated…A corrective action plan must be developed which supports sufficient information gathering to adequately investigate reports of child maltreatment or abuse."

[2] All 'Corrective Actions' are taken from the Internal Review of Case Management Procedures by the Monroe County Department of Human Services Concerning the 7/21/2005 Fatality of a Five-Year Old prepared on January 24, 2006 (in some instances additional details have been added for clarification).

"The CPS report received on April 24, 2004 was not determined in a timely manner…A corrective action must be developed which supports the timely completion of CPS investigations."

"MCDHS did not maintain required casework contacts with this family… A corrective action plan must be developed which supports consistent casework contacts are maintained throughout case involvement. This plan must define supervisory expectations to support and monitor that necessary casework contacts occur."

"The Family Assessment and Service Plans required in August and October 2005 were not completed in a timely manner…A corrective action plan must be developed which supports the timely completion of service plans. This plan must define supervisory expectations to support and monitor the completion of service plans."

Corrective Action	Anticipated Timeframe for Completion	Person Responsible
Implement an immediate and ongoing training initiative with casework and supervisory staff to clarify, strengthen, reinforce and monitor adherence to expectations for investigating child abuse and neglect allegations to ensure that: • Available sources of information pertinent to an investigation of alleged child abuse and neglect are identified and interviewed and that this is properly documented in the progress notes; • Available written documentation from all individuals/organizations with pertinent knowledge and observations during an investigation is obtained; • Details of all the child abuse and neglect concerns are fully explored and addressed; • Discrepancies in pertinent accounts of events provided during an investigation are explored and that attempts to resolve or explain them are documented in the case progress notes.	6/30/2006	Tom Corbett RRO-OCFS
Implement an immediate and ongoing training initiative with casework and supervisory staff to clarify, strengthen, reinforce and monitor adherence to expectations for the timely completion of pre-and post-determination activities, ensuring that the following CPS Investigation and CPS Management casework activities are satisfactorily carried out: • Face-to-face contacts with family/household members; • Safety/risk assessments; • Investigation conclusions; • Family Assessments and Service Plans; and • Other case activities which are critical to addressing issues of safety, risk, and permanency	9/30/2006	Tom Corbett Sue McLean OCFS-RRO
Develop written guidelines and desk aids to assist casework staff in ensuring timely and satisfactory completion of critical	7/31/2006	Tom Corbett Sue McLean

activities. Integrate use of these tools into caseworker training, include utilization in regular supervisory evaluation of staff, and include them in a policy/procedure manual.		OCFS-RRO
Develop a written "Key Action Steps Checklist" for CPS caseworkers to use when people can't be located or are evading contact with CPS.	4/30/2006	Tom Corbett

RECOMMENDED ACTION[3]

It is further recommended that MCDHS conduct a comprehensive review of the case transfer process within MCDHS. This review should consider the need for face-to-face discussions between MCDHS staff to review family functioning and service needs prior to case transfers. The role of supervisors in this process should be defined."

Action	Anticipated Timeframe for Completion	Person Responsible
Reiterate and reinforce, through administrative supervision the expectation that a supervisor receiving a case transfer will read and review all the material in the case record before assigning the case to a caseworker; and make a record of this review in the progress notes.	3/31/2006	Cindy Lewis
Assess division ability to require face-to-face discussions and develop plan accordingly	6/30/2006	

ADDITIONAL ACTIONS[4]

Action	Anticipated Timeframe for Completion	Person Responsible
Case Progress Recording & Communication Implement an immediate and ongoing training and supervisory expectation initiative with casework and supervisory staff that utilizes written standards for effective methods of communicating information in case progress notes, explaining how to describe observations, conversations, events, activities, and decisions. Integrate use of these tools into caseworker training, include utilization in regular supervisory evaluation of staff, and	11/30/2006	Mike Dedee

[3] The 'Recommended Action' is taken from the NYS OCFS Child Fatality Report 92-05-009 issued on January 20, 2006.

[4] 'Additional Actions' are taken from the Internal Review of Case Management Procedures by the Monroe County Department of Human Services Concerning the 7/21/2005 Fatality of a Five-Year Old prepared on January 24, 2006.

include the tools in a policy/procedure manual. Develop written guidelines that standardize expectations for the recording of critical investigative and casework activities. Include guidelines that ensure timely and accurate recording of investigative and casework activities and decisions and support: • Entry of progress notes within a specific time frame (monitoring this raises the possibility that quantity ends up taking precedence over quality; utilize a quality assurance function discussed below to ensure quality); • Documentation of the required reviews of CPS history; • Documentation of all successful/unsuccessful investigative efforts to interview children outside the presence of the alleged subjects; • Recording observations of parent/child interaction; • Recording supervisory involvement in critical decision and actions—case assignment, protective custody, court actions, safety/risk decisions, stalled investigations or casework activity, aftercare, case closing; • Careful and timely entry/editing of draft notes to prevent duplicate or conflicting entries; • The use of addendums to clarify or correct notes that have moved form 'draft' to 'final' form.	8/31/2006	Mike Dedee OCFS-RRO
Placement Aftercare and Case Closing Decisions Reiterate and reinforce, through direct supervisory mentoring and oversight, the expectation that staff will keep a case open for 90 days after children are discharged from placement to a parent or a relative and that face-to-face contact with the children and parents must occur in the seven days prior to a case closing by CPSM. Develop written case closing guidelines and train supervisory staff in their use.	3/31/2006 3/31/2006	Cindy Lewis OCFS-RRO
Quality Assurance Identify an adequate, ongoing and regular capability to conduct biannual internal casework process and quality audits to assure the highest degree of quality in the handling of all investigative and casework activities in the Division of Children & Family Services. Begin, for completion in 2006, a manual that consolidates the internal policies/procedures that guide pre- and post-determination practice and assign specific responsibility for keeping it up-to-date.	4/30/2006 12/31/2006	Cindy Lewis OCFS-RRO OCFS-RRO Tom Corbett; Mike Dedee; Cindy Lewis; Sue McLean; Linda Oinen

The improvement and corrective action plans as detailed in this CAP will require a collaborative effort of department staff and RRO staff. We believe that these efforts will enhance the Department's ability to consistently meet statutory, regulatory, and good practice standards for child welfare work. We appreciate the support that you have provided in this process and we look forward to cooperating with you as we tackle the many challenges that face child welfare divisions across New York State. If you need further clarification please do not hesitate to contact me.

Sincerely,

Joseph M. Martino
Acting Commissioner

JMM/lmj

xc: C. Lewis
T. Corbett
S. McLean
L. Oinen
M. Dedee